

UNITED STATES DISTRICT COURT
Eastern District of California
Office of the Clerk
501 I Street
Suite 4-200
Sacramento, California 95814

REPLY TO:
Divisional Office

Marianne Matherly
Clerk

2500 Tulare Street, Room 1501
Fresno, California 93721
559/499-5600

INSTRUCTIONS FOR SERVICE OF SOCIAL SECURITY APPEALS

The court has issued an order granting your application to proceed without prepayment of fees and directing that service of process be made by the United States Marshal. You must provide the clerk's office with the following:

1. The original Summons and five (5) copies of the Summons
2. Five (5) copies of the Order directing service by the U.S. Marshal
3. Five (5) copies of the Complaint
4. One completed USM-285 form addressed to the Social Security Administration
5. Five (5) copies of any other documents to be served

The original Summons and one copy of the service order is for the U.S. Marshal Service. The original Summons will be filed with the court following the service of a copy of the Summons and Complaint on the defendant(s). One set of documents (Summons, Complaint, Service Order and any additional documents) will be served on the U.S. Attorney, one set will be served on the Commissioner of Social Security, two sets will be served on the U.S. Attorney General, and one set will be retained by the U.S. Marshal Service. Please include an additional set of documents and a USM-285 form for any additional Federal employee or agency who is named as a defendant in your action.

OFFICE OF THE CLERK
United States District Court
Eastern District of California

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

_____, Case No. _____
Plaintiff,

vs.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**NOTICE OF SUBMISSION
OF DOCUMENTS IN
SOCIAL SECURITY APPEAL**

_____/

Plaintiff hereby submits the following documents in
compliance with the court's order filed _____.

- 1 completed USM-285 form
- 5 copies of the complaint
- 1 original Summons and 5 copies of the Summons
- 5 copies of the order directing service by the
U.S. Marshal
- 5 copies of other documents to be served:

DATED: _____

Signature of Plaintiff

TO BE COMPLETED BY THE CLERK:

Documents forwarded to U.S. Marshal on: _____

_____ (Date) _____ (Initials)

| | |
|-----------|-------------------|
| PLAINTIFF | COURT CASE NUMBER |
| DEFENDANT | TYPE OF PROCESS |

SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

| | | |
|--|---|--|
| SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW | Number of process to be served with this Form 285 | |
| | Number of parties to be served in this case | |
| | Check for service on U.S.A. | |

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

| | | | |
|---|--|------------------|------|
| Signature of Attorney other Originator requesting service on behalf of: | <input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT | TELEPHONE NUMBER | DATE |
|---|--|------------------|------|

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

| | | | | | |
|--|---------------|--------------------|-------------------|--|-------|
| I acknowledge receipt for the total number of process indicated. <i>(Sign only for USM 285 if more than one USM 285 is submitted)</i> | Total Process | District of Origin | District to Serve | Signature of Authorized USMS Deputy or Clerk | Date |
| | _____ | No. _____ | No. _____ | _____ | _____ |

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (*See remarks below*)

| | | |
|---|--|--|
| Name and title of individual served (<i>if not shown above</i>) | <input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode | |
| Address (<i>complete only different than shown above</i>) | Date | Time <input type="checkbox"/> am <input type="checkbox"/> pm |
| Signature of U.S. Marshal or Deputy | | |

| | | | | | |
|-------------|---|----------------|---------------|------------------|---|
| Service Fee | Total Mileage Charges including endeavors | Forwarding Fee | Total Charges | Advance Deposits | Amount owed to U.S. Marshal* or (Amount of Refund*) |
| | | | | | |

REMARKS:

- DISTRIBUTE TO:**
1. CLERK OF THE COURT
 2. USMS RECORD
 3. NOTICE OF SERVICE
 4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
 5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

INSTRUCTIONS FOR SERVICE OF PROCESS BY U.S. MARSHAL

Please type or print legibly, insuring readability of all copies. **DO NOT DETACH ANY COPIES.** Submit one complete set of this form (USM-285) and one copy of each writ for each individual, company, corporation, etc., to be served or property to be seized or condemned. The applicable fees for such service(s) (T28, USC Sec. 1921 establishes the fees for service of process by the U.S. Marshal) may be required prior to said service.

For service of any process upon an officer or agent of the United States Government, submit a copy of the writ and a set of Form USM-285 for each officer or agent upon whom service is desired. Submit three (3) additional copies of the writs for service upon the Government of the United States. The U.S. Marshal will serve one (1) upon the U.S. Attorney and will forward two (2) to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or his Deputy always certifies service on the U.S. Attorney and the Attorney General, regardless of whether other defendants on the writ were served.) Failure to provide any of the copies will delay service of the writ.

Complete all entries above the double line. Mark all applicable check boxes and use the "Special Instructions" to advise of any information that will assist the U.S. Marshal in expediting service.

If more than one writ and USM-285 is submitted on a single case, the U.S. Marshal will receipt for all of them on the first USM-285. You will receive for your records the last (No. 5) "Acknowledgment of Receipt" copy for all the USM-285 forms you submit. When the writ is served, you will receive the No. 3 Notice of Service copy. This copy will be identical to the return to the Clerk of the Court.

Upon completion of all services (if the Marshals fees were not requested or tendered in advance or if additional fees are indicated), you will receive a "Billing Statement" (copy 4 of USM-285) from the United States Marshal. (NOTE: Copy 4 should be returned, by you, to the U.S. Marshal, together with your payment of the amount owed.

Additional supplies of the USM-285 may be obtained from the Clerk of the U.S. District Court or U.S. Marshal, without cost.